

In re application of: Robert A. Luciano et al.
Serial Number: 09/757,384
Page 5

viewable surface and a second viewable surface identified as an outer most viewable surface;
(B) indicia located on each said viewable annular surface; and
(C) at least one pay line defined from the inner most surface to the outermost service.

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22. The game apparatus of claim 21 wherein said wheels are displayed via a video display device.

REMARKS

10 Interview

Applicants sincerely appreciate the courtesies extended by Examiner Benjamin Layno during a telephone interview conducted on August 14, 2002. During the interview, Applicants' attorneys presented several arguments including: (1) Inoue does not disclose a plurality of rotatable *wheels*; (2) Inoue does not disclose a viewable annular surface; and (3) more symbols may be displayed to a player by the use of a wheel having a viewable annular surface than a reel because the curvature of the reel allows players to view only a small portion of its circumference. Examiner Layno agreed that the wheels being claimed are able to display more symbols than the reels in Inoue.

20 Office Action

Claims 1-22 are pending in the application. In the office action:

- Claims 14-16, 19, and 20 are allowed.
- Claims 8 and 10-12 are objected to.

In re application of: Robert A. Luciano et al.

Serial Number: 09/757,384

Page 6

- Claims 1-7, 17, 18, and 21 are rejected under 35 U.S.C. 102(b) as being unpatentable over Inoue (U.S. Patent Number 5,395,111).
- Claims 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue and in further view of Smyth (U.K. Document Number 2117546) or Lowden (U.S. Patent Number 5,630,586).
- Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue and in further view of Okada (U.S. Patent Number 5,024,439).

Applicants submit claims 1-7, 9, 13, 17, 18, 21, and 22 are patentable over Inoue, Smyth,

10 Lowden, and Okada for the following reasons.

35 USC § 102(b)

As stated by the Federal Circuit: Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindermann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). Applicants submit that the Office has failed to establish a *prima facie* case of anticipation as Inoue does not disclose each and every element of claims 1, 17, 18, and 21, as further discussed below.

20 Inoue does not disclose any wheels having a viewable annular surface.

Claims 1, 17, 18, and 21

Claim 1 claims: "a plurality of rotatable *wheels*, each of said wheels having a *viewable annular surface*." Claim 17 claims: "spinning at least two groups of concentric *wheels* having

In re application of: Robert A. Luciano et al.
Serial Number: 09/757,384
Page 7

indicia on a *viewable annular surface...*" Claim 18 claims: "a plurality of concentric and rotatable *wheels*, each having a *viewable annular surface*." Claim 21 claims: "a plurality of rotatable *wheels* comprising a first *wheel* and a second *wheel*, each having a *viewable annular surface*."

5 As best seen from figure 2 of Inoue, Inoue discloses reels having symbols displayed on the circumference of each reel. The number of symbols that can be positioned on the circumference of each reel is limited by the curvature of the reel. Additionally, only a portion of the circumference of each reel is positioned in front of a player, as best seen from figure 1 of Inoue, and thus, the player does not see all of the symbols.

10 In contrast, claims 1, 17, 18, and 21 claim wheels having a viewable annular surface. The face of a wheel is able to display more symbols than the circumference of a reel. Additionally, the face of the wheel or the viewable annular surface allows a player to see substantially all the symbols at once. Therefore, Inoue does not anticipate the claimed wheel having a viewable annular surface. Withdrawal of the 35 USC 102(b) rejection on claims 1, 17, 15 18, and 21 is respectfully requested.

CLAIM 2-7, 9, and 13

Dependent claims 2-7, 9, and 13 which depend, directly or indirectly, from independent claim 1 and incorporate all the limitations of claim 1, also include additional limitations that are 20 not shown or suggested by the prior art. Therefore, claims 2-7, 9, and 13 patentably distinguish over Inoue. Withdrawal of the 35 USC 102(b) rejection on claims 2-7, 9, and 13 is respectfully requested.

In re application of: Robert A. Luciano et al.
Serial Number: 09/757,384
Page 8

Inoue does not disclose a plurality of wheels comprising an inner most viewable surface and an outermost viewable surface being claimed in claim 18.

As discussed above, Inoue discloses reels, but not wheels having viewable annular surfaces. Additionally, Inoue discloses reels positioned side by side as best shown in figure 2 of

5 Inoue. The placement of symbols in Inoue being on the circumference of the reels and the vertical arrangement of the reels relative to each other do not allow for the reels to have multiple viewable surfaces. Inoue just has one viewable surface, which is the circumference of the reel presented in front of the player. Therefore, Inoue does not anticipate each and every element of claim 18. Withdrawal of the 35 USC 102(b) rejection on claim 18 is respectfully requested.

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35 USC § 103(a)

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” *In re Royka*, 490 F.2d 981, MPEP §2143.03.

Applicant submits that prima facie obviousness has not been established for claims 9, 13, and 22
15 because the combination of Inoue, Smyth, Lowden, and Okada do not teach or suggest all the claim limitations.

Claims 9 and 13 are dependent on claim 1, which, as described above, have limitations not disclosed in Inoue. The office stated that the patents to Smyth and Lowden both teach that it is known in the slot machine to mount the rotatable wheels on a table. However, as described
20 above, Inoue does not disclose a wheel having a viewable annular surface, as described above. Smyth and Lowden also do not disclose said wheel. Thus, even if Smyth and Lowden were combined with Inoue, Inoue and Okada still do not disclose a wheel having a viewable annular surface, which is claimed in claims 9 and 13 by incorporation of claim 1.

In re application of: Robert A. Luciano et al.
Serial Number: 09/757,384
Page 9

Claim 22 is dependent on claim 21, which, as described above, have limitations not disclosed in Inoue. The office stated Okada teaches that it is known in the slot machine art to alternately electronically display simulated rotating wheels on a video display. Thus, even if Okada were combined with Inoue, Inoue and Okada still do not disclose a wheel having a viewable annular surface, as described above.

5 In sum, even if Inoue, Smyth, Lowden, and Okada were combined in the manner suggested by the Office, the combination would fail to provide all of the elements of claims 9, 13, and 22. Withdrawal of the 35 USC 103(a) rejection of claims 9, 13, and 22 is respectfully requested.

10 The amendments to the claims and specification above have not been made to overcome the rejections. The amendments were made to remove typographical errors and to provide clarity. The applicants believe that the original claims are patentable over the cited reference.

CONCLUSION

15 For all of the above reasons, the applicant submits that the present application is in condition for allowance. If the examiner has any questions regarding the application or this response, the examiner is encouraged to call the applicant's attorney, Rolando J. Tong, at (775) 826-6160.

20

Respectfully submitted,



25 Rolando J. Tong, Attorney for Applicant(s)
Registration Number: 47,140

In re application of: Robert A. Luciano et al.
Serial Number: 09/757,384
Page 10

VERSION WITH MARKINGS SHOWING CHANGES MADE

The following amendments to the specification are requested:

5 In the "Cross Reference To Related Applications" Section

This application claims priority of and incorporates by reference U.S. provisional patent application number 60/174,988, filed on January 7, 2000. This application is also a continuation-in-part application of U.S. application number 09/638, 866, filed August 14, 2000, which is a continuation application of U.S. patent application serial number 09/212,108, filed December 15,

10 1998, now U.S. patent number 6,105,962. This application is further a continuation-in-part application of U.S. patent application number 09/527,705, filed March 17, 2000, which claims the benefit and priority of U.S. provisional application number 60/126,052, filed March 23, 1999.

15 On page 4, lines 4-5:

Because of the physical curvature of a reel, it is generally only possible [for a] to view [of the] symbols [of] on a reel [to be] that are within a players view.

On page 4, line 7:

20 Therefore, wheels [c] may display a greater number of symbols than reels.

On page 12, lines 9-12:

More specifically, wager locations 290 are positioned at least partially around the peripheral of first group 240; wager locations 292 are positioned at least partially around the peripheral of

In re application of: Robert A. Luciano et al.

Serial Number: 09/757,384

Page 11

second group 260; and wager locations 294 are positioned at least partially around the peripheral of [second] third group 2[4]80.

On page 13, lines 20-21:

5 In this embodiment, wheels 502 and 504 are adjacent to each other and at least one pay line is provided.

On page 15, lines 1-3

When a number is generated, it [it] is compared with a wheel stopping position table that

10 contains all of the possible stopping positions for all of the wheels.

In re application of: Robert A. Luciano et al.

Serial Number: 09/757,384

Page 12

On page 18, lines 20-22

The wheel drive motors 42a, 42b, and 42c are brake gear motors of the known stepping form which separately rotate each wheel 242, 244, and 246 through a predetermined number of angular increments that is determined by the control circuitry and which varies during successive games.

5

On page 19, lines 3-4

Motor control circuits [54], which are microprocessor controlled require tracking of the rotary movement of the indicia carrying rotatable members by the microprocessor 56.

10

On page 19, lines 13-15

Tracking [M]means 57 includes a bracket 58 that extends forward from the front circular support plate 33, past the peripheries of each of the wheels 242, 244, and 246, and into the front structural member 41.

15

On page 24, lines 1-3

Each game device [4]204 is linked to display unit 202 by a communication device 206. Communication device [4]206 may use many different communication protocols and systems, such as Ethernet communication protocols, network cards, and cables.

20

The following amendments to the claims are requested:

In re application of: Robert A. Luciano et al.

Serial Number: 09/757,384

Page 13

11. The gaming apparatus of Claim 10 further comprising a first pay line extending between the centers of said first group and said second group, a second pay line extending between the centers of said second group and said third group, and a third pay line extending between the centers of said third group and said first group. [[take out group]]

5

13. The gaming apparatus of Claim 9 further comprising a payline that incorporates all [nine of said] the wheels.

17. A method of playing a game of chance, comprising the steps of:

10 (A.) placing a position bet;

(B.) spinning at least two groups of concentric wheels having indicia [formed thereon] on a viewable annular surface, each of said group having at least two wheels therein;

(C.) stopping, randomly, said spinning wheels;

15 (D.) evaluating aligned indicia at predetermined locations to determine winnings based on preselected combinations and pay ratios; and

(E.) paying said winnings.

18. A gaming apparatus for playing a game of chance, comprising:

20 (A.) a plurality of concentric and rotatable wheels, each having a viewable annular surface, further comprising a first viewable surface identified as an inner most viewable [most viewable] surface and a second viewable surface identified as an outer most viewable surface;

(B.) indicia located on each said view[]able annular surface; and

In re application of: Robert A. Luciano et al.

Serial Number: 09/757,384

Page 14

(C.) at least one pay line defined from the inner most surface to the outermost service.

22. The game apparatus of claim 21 wherein said wheels are displayed via [an electronic] a video display device.